

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

UNITED STATES OF AMERICA,

Plaintiff,

v.

No. 25-MJ-0330 DLM

CRISTHIAN ADRIAN ORTEGA-LOPEZ,

Defendant.

**AMENDED ORDER DENYING EMERGENCY MOTION
TO DETAIN MATERIAL WITNESS**

THIS MATTER is before the Court on Defendant's Emergency Motion to Detain Material Witness. (Doc. 19.) Defendant asks the Court to detain Effren Montilla-Castillo and Juan Manuel Acevedo-Leon, who are detained at the Otero County Immigration Center but who may be deported within the next day, "as the testimony of these witnesses appears to be material." (*Id.* at 1.) Defendant fails to state, however, what testimony these deponents would likely offer. Moreover, Defendant fails to comply with this district's local rules, which require the movant to "determine whether a motion is opposed." D.N.M. LR-Crim. 47.1. "A motion that fails to recite concurrence of each party may be summarily denied." D.N.M. LR-Crim. 47.2.

IT IS THEREFORE ORDERED that Defendant's Emergency Motion (Doc. 19) is **DENIED**. Defendant may correct the errors noted above and refile the motion for United States District Judge Margaret Strickland's review, given that Judge Strickland is reviewing the Government's Notice of Appeal. (*See* Doc. 13.)



DAMIAN L. MARTINEZ
UNITED STATES MAGISTRATE JUDGE